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10/825,926	04/15/2004	Ty O. Ahmad-Taylor	CCCI 0130 PUS	9035
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BROOKS KUSHMAN P.C. 1000 TOWN CENTER TWENTY-SECOND FLOOR SOUTHFIELD, MI 48075			EXAMINER PENG, FRED H	
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			2623	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/825,926

**Applicant(s)**

AHMAD-TAYLOR, TY O.

**Examiner**

Fred Peng

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 April 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 04/15/2004, 03/23/2007.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 16 and 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Alexander et al (US 6,177,931 B1).

Regarding Claims 16 and 38, Alexander discloses a system with corresponding method for presenting an electronic programming guide (EPG), the system comprising:

a transceiver in communication with a media source for receiving program signals (Col 5 lines 42-53), the program signals including an EPG having an array of cells corresponding to a plurality of channels and at least one time slot (FIG.1), each cell including a program title (Prime Time Live 36), the transceiver arranged to receive a signal indicating a selected cell (36 highlighted) and for displaying the program title for the selected cell proximate to associated program information for the selected cell (FIG.1, element 36, 24; the associated information of Prime Time Live is proximate to each other).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-14, 17-31, 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al (US 6,177,931 B1) in view of Perdon (US 2003/0106057 A1).

Regarding Claims 1 and 17, Alexander discloses a system with corresponding method for presenting an electronic programming guide (EPG), the system comprising:

a transceiver in communication with a media source for receiving program signals (Col 5 lines 42-53), the program signals including an EPG having an array of cells corresponding to a plurality of channels and at least one time slot (FIG.1), each cell including a program title (Prime Time Live 36), the transceiver arranged to receive a signal indicating a selected cell (36 highlighted). Alexander further discloses highlighting of selection may be accomplished in a number of other ways, including implementation of one or more of the desired enhancement technique (Col 3 lines 37-55).

However, Alexander does not specifically disclose magnifying the selected cell so that the program title of the selected cell appears larger than program titles in non-selected cells.

In an analogous art Perdon discloses magnifying the selected cell so that the program title of the selected cell appears larger than program titles in non-selected cells (Para 34 lines 1-6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Alexander's method to include a program title in the cell, as taught by Perdon as one of the enhancement technique for highlighting.

Regarding Claims 2 and 18, Alexander further discloses the selected cell comprising displaying the program title in a first portion of a window (FIG.1, element 36; the highlighted area including channel and program title is the first portion of the window).

Regarding Claims 3 and 19, Perdon further discloses displaying program information for the selected cell in a second portion of the window such that the window includes the program title and the program information (FIG.1, element 24).

Regarding Claim 4, Alexander further discloses the first and second window portions are proximate each other to facilitate association of the program title with its program information (FIG.1, elements 24 and 36).

Regarding Claim 5, Alexander further discloses the first and the second portions are adjoining (FIG.1, elements 24 and 36).

Regarding Claim 6, Alexander further discloses the selected cell comprises including the selected cell within the window (FIG.1, 36; selected cell 36 within window 24 and 36).

Regarding Claims 7 and 21, Perdon further discloses fixing a position of the window and scrolling the program title of a next cell into the window (FIG.3, Display 103 navigate left into Display 104, next cell Ch 35 program is scrolled into highlighted cell window).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Alexander's method to include fixing a position of the window and scrolling the program title of a next cell into the window, as taught by Perdon to provide a focal point for navigation.

Regarding Claims 8 and 22, Alexander further discloses the scrolling includes selecting a navigation button in the EPG (FIG.1, elements 20, 36; the arrow and the cursor on the cell is the navigation button).

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Regarding Claims 9 and 23, Alexander further discloses the scrolling includes actuating navigation buttons provided on a remote control (FIG.2).

Regarding Claims 10 and 24, Alexander further discloses displaying an auxiliary menu in the window, the auxiliary menu including a menu of options for the selected cell (FIG.1, elements 18, 20).

Regarding Claims 11 and 25, Alexander further discloses displaying the auxiliary menu includes actuating an auxiliary menu button to cause the auxiliary menu to pop-out from the window (FIG.6, select schedule button the Remove and Change buttons pop-out).

Regarding Claims 12 and 35, Alexander further discloses displaying the auxiliary menu includes displaying the auxiliary menu at the same time as the program title and program information (FIG.6), Remove and Change menu at the same time as Walker, Texas Ranger program).

Regarding Claim 13, Alexander further discloses displaying an advertisement (FIG.1, element 14, 16).

Regarding Claims 14 and 36, Alexander further discloses relating the advertisement to the selected cell (Col 18 lines 1-6).

Regarding Claim 20, Alexander further discloses the window displays only one program title in the array (FIG.1, 36).

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Regarding Claim 26, Alexander further discloses one of the auxiliary menu buttons is a BACK button to close the auxiliary menu (FIG.1, 44; Watch button to show selected program and close the guide).

Regarding Claim 27, Alexander further discloses one of the auxiliary menu buttons is a Record button to record the program in the selected cell (FIG.1, 46).

Regarding Claim 28, Alexander and Perdon are silent about On-Demand button.

Official Notice is taken that On-Demand is well known in the art to provide premium video service from the cable operator.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined method of Alexander and Perdon to include On-Demand button on the program guide to provide optional premium service.

Regarding Claim 29, Alexander further discloses a RECORD ALL PROGRAMS button to automatically record all occurrences of programs relating to the selected cell (FIG.6, the schedule button automatically record all occurrences of programs relating to the selected cell).

Regarding Claim 30, Alexander further discloses the RECORD ALL PROGRAMS button records occurrences of the selected program even if the occurrence is at a different time and channel than the selected cell (FIG.6, scheduled recording at different time and different channel).

Regarding Claim 31, Alexander further discloses one of the auxiliary menu buttons is a Go To SHOW button to tune to the program in the selected cell (FIG.1, element 44; Watch button is to tune to the selected program).

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Regarding Claim 33, Alexander further discloses one of the auxiliary menu buttons is a MORE INFO button to display more information regarding the program in the selected cell (FIG.1, 36; the cursor is the More Info button, when cell is selected, more information is displayed in the upper window 24).

Regarding Claim 34, Alexander further discloses LOCK button to limit access to a program corresponding to the selected cell (FIG.4A, LOCK button on the top).

5. Claims 15 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al (US 6,177,931 B1) and Perdon (US 2003/0106057 A1) as applied to claims 1 and 17 above, and further in view of Allen (US 6,944,880 B1).

Regarding Claims 15 and 37, Alexander and Perdon are silent about receiving signals for controlling the EPG, and generating an audio signal in response to receiving the signals.

In an analogous art, Allen discloses receiving signals for controlling the EPG, and generating an audio signal in response to receiving the signals (Claim 12 lines 3-6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined method of Alexander and Perdon to include an audio signal in response to receiving the signals, as taught by Allen as an optional confirmation tool.

6. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al (US 6,177,931 B1) and Perdon (US 2003/0106057 A1) as applied to claims 17, 18, 24 and 25 above, and further in view Bennington (US 6,331,877 B1).

Regarding Claim 32, Alexander and Perdon are silent about a REMINDER button to set a reminder notification for the program in the selected cell.



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In an analogous art, Bennington discloses set a reminder notification for the program in the selected cell (Col 3 lines 18-20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined method of Alexander and Perdon to include a reminder notification for the program in the selected cell, as taught by Bennington as a convenient and friendlier user interface.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred Peng whose telephone number is (571) 270-1147. The examiner can normally be reached on Monday-Friday 09:00-18:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fred Peng  
Patent Examiner



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